

Appln. No. 10/544,163
Amdt. Dated March 14, 2007
Reply to Office Action of December 16, 2006

REMARKS

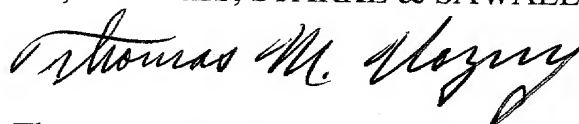
In the Office Action dated December 14, 2006, claims 1-11, 17-18, 20, 22, 24, 26 and 28 were examined with the result that all claims were rejected. In response, applicant has amended claim 1. In view of the above amendments and following remarks, reconsideration of this application is requested.

In the Office Action, all of the claims currently pending were rejected under 35 USC §101 as claiming the same invention as that of claims in co-pending Application No. 10/821,479. In response, applicant has amended claim 1 to eliminate "deuterium" from the scope of coverage for the definition of the substituents in the side chain attached to carbon 20 of the vitamin D nucleus. As the scope of the claims of the present application are no longer co-extensive with the scope of the claims in co-pending application 10/821,479, applicant believes the Examiner should now withdraw the §101 same invention type double patenting rejection.

An effort has been made to place this application in condition for allowance and such action is earnestly requested.

Respectfully submitted,

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